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MAY 26 2010

OFFICE OF PETITIONS

In re Patent No. 7,381,729	:	
Pahl et al.	:	DECISION UPON REMAND AND
Issue Date: June 3, 2008	:	RECONSIDERATION OF
Application No. 10/828,650	:	PATENT TERM ADJUSTMENT
Filed: April 21, 2004	:	AND NOTICE OF INTENT
Attorney Docket No. 04266864	:	TO ISSUE CERTIFICATE OF
Title: 4-(4-Trans-	:	CORRECTION
hydroxycyclohexyl) Amino-2-	:	
Phenyl-7H-Pyrrolo	:	
[2,3D]Pyrimidine Hydrogen	:	
Mesylate, Its Polymorphic	:	
forms, and methods for making	:	
same	:	

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The Office had a typographical error in the decision mailed 5/20/2010. In one place, the Office erred by asserting that the number was 933 and not 633. In order to avoid any confusion, the Office is remailing the decision with all places specifying 633 days. The Office apologizes for any confusion this may have caused.

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by six hundred thirty-three (633) days.

Patent No. 7,381,729 Application No. 10/828,650 Page 2
The application is being forwarded to the Certificates Branch
for issuance of a certificate of correction indicating that the
term of the above-identified patent is extended or adjusted by
six hundred thirty-three (633) days.

Telephone inquiries specific to this matter should be directed
to Senior Legal Advisor, Kery A. Fries at (571) 272-7757.

/Kery A. Fries/

Kery A. Fries
Senior Legal Advisor Attorney
Office of Patent Legal Administration
Office of Associate Commissioner
For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,381,729 B2

DATED : June 3, 2008

DRAFT

INVENTOR(S): Pahl et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 534 days

Delete the phrase "by 534 days" and insert – by 633 days--